

## **REMARKS**

The Applicants respectfully request reconsideration of the objections and rejections set forth in the Office Action dated November 20, 2003.

### **The Rejection under 35 U.S.C §112:**

Claim 19 stands rejected over 35 USC §112, second paragraph, for being indefinite. Claim 19 has therefore been amended for clarification thereof. Withdrawal of the §112 rejection is respectfully requested.

### **The Rejection under 35 U.S.C. §102(b) and §103(a):**

The Examiner has rejected claims 1-3, 10-14 and 20 under 35 U.S.C. §102(b) as being anticipated by Applicant's admitted prior art or Acres et al, and has further rejected claims 4-5 and 15-19 under 35 U.S.C. §103(a) as being unpatentable over Applicant's Admitted prior art or Acres in view of Burns or Kelly. In view of the above-indicated amended claims and the forgoing remarks, the Applicants respectfully disagree.

Briefly, the Examiner has defined the term "receipt" as "a) an act of receiving something or b) the amount or quantity received" as set forth in Webster's II New Riverside University Dictionary © 1994. The Applicant submits, however, that the third definition of the term "receipt" in the same dictionary is closer to the Applicant's contemplated meaning which refers to "receipt" as a "**written acknowledgment** that a specified article, sum of money, [service], or delivery of merchandise has been [or will be] received." (emphasis added). This is supported in the specification of the present pending application at page 9, number paragraph 26, lines 1-4 which recites:

In a preferred embodiment, the receipt is constructed from paper or a similar material. The receipt may comprise a wide variety of other elements or members, however, such as cards or the like. While the term "receipt" is used herein, it will be appreciated that these elements may be referred to as vouchers, tickets or the like.

Further clarification is also exemplified in amended Claims 1, 10, 15 and 19, which recite the receipts as being in the form of a tangible medium for a player.

Moreover, the claims have been amended to also emphasize that the redemption of such issued awards is performed at remote locations. As exemplified in amended claim 1, a method of issuing a receipt redeemable for an award to a player of a gaming machine is provided including: generating data regarding a player's activity associated with the play of the one or more gaming machines; and determining if the player is entitled to an award based upon the player's play activity data independent of the direct outcome of a specific game or games. The method further includes generating the receipt in the form of a tangible medium for the player at the gaming machine for redemption by the player for the award at a location remote from said gaming machine.

Accordingly, the present invention essentially discloses a system providing real-time player tracking capabilities wherein a comp award can be generated and submitted directly to the player at the gaming machine in a tangible medium when predetermined threshold play parameters have been satisfied. As set forth in the present pending application at page 14, number paragraph 36, lines 3-4, “. . . the gaming machine 20 is arranged to print receipts which represent ‘comps,’ gratuities or other awards” Further, at pages 14-15, numbered paragraph 37, lines 1-5, it states:

[0037] Such "comp" or award receipts may be generated in a number of manners. In one embodiment, a player's play of any gaming machine associated with the gaming system 40 is tracked. Data regarding the player's play is stored at the player tracking host 44. The player tracking host 44 is also preferably arranged to monitor the play data such that, if the player reaches predetermined levels of play or other criteria of play exist, the player is awarded a "comp."

Moreover, redemption of such comp awards occurs at “a location remote from said gaming machine.

In contrast, neither the Applicant's cited art nor Acres suggest, mention or imply a gaming machine capable of generating any form of tangible receipt directly at the gaming machine itself. The Applicant's admitted prior art requires the player to proceed to a remote station if they desired to retrieve their "comp". As recited at page 2, numbered paragraphs 3, lines 6-10, it states:

In the event a player receives sufficient points, the player may proceed to a player reward station and "cash in" their points for the comp, such as free games, a free dinner or show. Generally, this requires that a player take their player tracking card to the reward booth after they have stopped playing a gaming machine, provide their player tracking card as identification, and then be awarded a "comp."

The Applicant's cited art, thus, does not mention, suggest or imply any tangible receipt generation right at the gaming machine.

Regarding Acres, this reference merely provides access of the player's player tracking account at the gaming machine. As stated at col. 8, lines 35-55 of Acres, a player may convert account points to credits. However, unlike the present invention, such conversion is instigated by the player who must "push[] button 62 to convert all account points to account credits" (col. 8, lines 47-48). Accordingly, the system of Acres does not "determin[e] if said player is entitled to an award based upon the player's play activity data independent of the direct outcome of a specific game or games" as the present invention suggests. As importantly, Acres does not mention, suggest or imply the automatic generation of "said receipt in the form of a tangible medium for said player at said gaming machine for redemption by said player for said award at a location remote from said gaming machine."

In view of the foregoing arguments and amendments, withdrawal of the §§102(b) and 103(a) are, therefore, respectfully requested.

### ***Conclusion***

In light of the above amendments and remarks, the Applicants respectfully request that the Examiner reconsider this application with a view towards allowance. It is believed that all claims now pending fully and patently define the subject invention over the cited art of record and are in condition for allowance.

If the Examiner has any questions concerning this case, the Examiner is respectfully requested to contact Michael L. Louie at (510) 843-6200.

The Commissioner is hereby authorized to charge any additional fees, including any extension fees, which may be required or credit any overpayment directly to the account of the undersigned, No. 50-0388 (Order No. IGT1P123).

Respectfully submitted,  
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